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TAJIKISTAN

SUCCESS STORY

Cotton debt cancelled

Legal advocacy succeeds in canceling an illegal debt.



*A training to the farmers on their land rights.
Photo: Chemonics.*

USAID's Land Reform and Market Development Project helps farmers to defend their rights through legal advice and counseling.

A private Dekhan Farm "Oiql" was created in March 2006 after the restructuring of a large soviet cooperative farm. Shortly after that, the State Land Committee issued the legal Land Use Certificate, allowing this farm to begin functioning. However, a powerful local cotton investor "Olimkarimzod" declared that the new farm owed a \$9,589 debt from the previous year.

The farm turned to the USAID Land Reform and Market Development project for assistance. With support from the project-sponsored Legal Aid Center, the farm filed a suit against the investor arguing that the debt had been transferred illegally. It argued that as the farm could not owe any debt predating its creation. In addition, the farmers pointed out that under Tajik Law, the investor did not have the appropriate license to conduct credit activities.

Even though the court case was postponed three times and the investor was trying to intimidate the farmers to drop the complaint, the case was finally heard in August 2007. The court found in favor of the farm, cancelled the debt, and ordered the investor to pay the court fees.

The USAID project is now in the process of informing the 62 other Dekhan Farms that had been created under the same decision and assigned debt in the same way of their rights and the results of the "Oiql" court case. The interested farmers will receive project assistance during Year 3 in writing and filing their claims with the Prosecution Office of Sughd Oblast, requesting that the assignment of debt to the newly formed Dehqan Farms, be similarly cancelled.

USAID has helped cancel the illegal debt of cotton farmers in Northern Tajikistan in another example of how the Legal Aid Centers directly assist farmers in need.